

4. This action has been filed by Plaintiff to combat online counterfeiters who trade upon Plaintiff's reputation and goodwill by selling and/or offering for sale products in connection with Plaintiff's CHEAP TRICK Trademarks, which are covered by U.S. Trademark Registration Nos. 1,955,064 and 3,185,582 (collectively, the "CHEAP TRICK Trademarks"). The registrations are valid, subsisting, unrevoked, and uncanceled. The registrations are incontestable pursuant to 15 U.S.C. § 1065. The registrations for the trademarks constitute prima facie evidence of validity and of Plaintiff's exclusive right to use the trademarks pursuant to 15 U.S.C. § 1057(b). A genuine and authentic copy of each U.S. federal trademark registration certificate for each of the CHEAP TRICK Trademarks is attached as **Exhibit 1**.